



THE GENDER EQUALITY DUTY AND SCHOOLS

GUIDANCE FOR CATHOLIC SCHOOLS

JUNE 2007

Purpose

This guidance is to provide supplementary advice for headteachers and governors of Catholic Voluntary Aided schools on how to comply with the Gender Equality duty for schools.

Introduction

The Gender Equality Act came into force on **6 April 2007**. All public authorities, including schools, must demonstrate that they are promoting equality for women and men and that they are eliminating sexual discrimination and harassment. They are also required to have a gender-equality scheme in place by the end of April 2007.

There is now a considerable amount of legislation relating to equality, ranging from the Sex Discrimination Act 1975 to the Equality Act 2006. Schools need to ensure they comply with this legislation. The legal responsibility for implementing the gender equality rests with the school's governing body. The legislation requires schools both to avoid discrimination and to promote equality for pupils, staff and others using school facilities.

Action Required by Schools

Employment

The governing body must not discriminate in the employment of staff on grounds of gender, transsexual status, race, disability, sexual orientation, religion or belief or age.

The governing body needs to ensure that the requirement to promote gender equality is clearly reflected in the school's appointment and employment processes, and in the aspects of staff pay that are dealt with by schools.

This does not affect the ability of schools to only appoint Catholics to the reserved posts of headteacher, deputy headteacher and head of RE.

Discrimination – Pupils

Schools must not discriminate against children seeking admission, (save as set out below in Exceptions) or with regard to how pupils are treated on grounds of sex, race, disability, religion or belief. This covers the provision of teaching or allocating the pupil to certain classes, applying different standards of behaviour, dress and appearance, excluding pupils or subjecting them to detriment.

It is important to note the following **exceptions**

1. Single sex schools may discriminate on grounds of sex with regard to admissions.
2. Schools with a religious character may give priority in admissions to applicants who are of their faith.
3. School curriculum and collective worship are excluded from the requirement on schools not to discriminate on grounds of religion or belief.
4. Age discrimination legislation does not apply to the treatment of pupils or the delivery of education

(See also CES'S Guidance for Catholic Schools on The Equality Act 2006 Part 2: Discrimination on Grounds of Religion or Belief)

Duty to promote Equality

Race

Schools are under a duty to promote equality of opportunity and promote good relations between persons of different race and nationality. Schools must have a written Race Equality Policy, which should identify action to be taken to deal with this issue

There is a duty to assess and monitor the impact of policies on the attainment of pupils, and generally on staff and parents

Schools are required to record racist incidents and report them to their local authority.

Disability

Schools must make such reasonable adjustments as are necessary to prevent any disadvantage to a disabled person by comparison to those who are not disabled.

Since **December 2006** Secondary schools are required to publish a disability equality scheme. Primary and special schools must do this by **December 2007**. The Scheme

must demonstrate how the school is meeting its general duty to promote disability equality across all its areas of responsibility.

Gender

From April 2007 all schools must publish a Gender Equality Scheme showing how the school intends to fulfil the general and specific duties. The plan must be revised and reviewed every 3 years. An annual progress report must also be prepared.

Schools may produce a single equality plan covering all the plans outlined above.

Useful Websites

The DfES in conjunction with the Implementation Review Unit has also produced a **short toolkit for schools** pulling together the various strands of equality legislation for schools.

The Department for Trade and Industry has produced an equality teaching resource pack entitled Does Sex Make a Difference?, which has been designed for teachers and other professionals who work with young people to help stimulate discussion about gender related issues.

The Women and Equality Unit has useful background information to support the teaching of gender issues.

The Equality Opportunities Commission has the Code of Practice and other useful information and advice on Gender Equality Duty

For further information please contact Christine Fischer on 020 7901 4880

June 2007